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<p>(CNFD) Report forwards local press reports regarding a warning issued to all ROC fishing boats operating in the South Pacific to stay clear of Australian territorial waters. Included is an earlier report of four ROC fishing vessels which were arrested by Australian Police in April 1975. Report is significant because it represents a reaction to information received in Taiwan about the movements and mission of the Naval Forces of Australia. This report bears the caveat NO FOREIGN DISSEM because it contains information which, if disclosed, would result in identification of a sensitive source or method.</p>					
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1. (U) The following article was taken from the 6 August 1975 edition of the China News, a Taipei English-language evening paper:

Taiwan's Fishing Boats Warned Against Entering Aussie Waters

The Fishery Radio Station at Kaohsiung has broadcast an urgent message to Chinese fishing boats operating in the South Pacific warning them to stay clear off Australian territorial waters, the Taiwan Provincial Fisherman's Association reported today.

There are 400 to 500 Chinese vessels fishing in the vicinity of Australia, the association said.

These boats used to operate in the South China Sea. They moved to the South Pacific five years ago when their catch fell drastically, according to the association.

The radio station beamed the warning to these boats two

days ago upon learning that an Australian naval task force had been told to keep a close watch on the Chinese fishing vessels while on its way to a maneuver in the Indian Ocean.

According to a CNA report from Canberra, the task force has been given orders to seize any Chinese fishing boats found in Australian waters.

Australia recognizes a 12-mile limit for its territorial sea. The Australian Navy follows the procedure of giving

warning to intruding vessels before seizure, the Taiwan Provincial Fishery Bureau said.

So far five Chinese boats have been seized by the Australian Navy.

The fishing fleet of free China consists of approximately 12,000 boats, of which over 1300 are deep-sea fishing boats.

They operate on high seas throughout the world. Their total catch account for about of the annual average of 700,000 tons.

*Rep of China -
annual deep sea
fish catch -
700,000 tons*

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2. (U) The following article was taken from the 22 June edition of the China Post:

Four ROC fishing boats arrested by Australians

On April 20, 1975, four fishing boats from the Republic of China (Hung Tung I, Hung Tung II, Chun Yin I and Chun Yin II) were arrested off the Monte Bello Islands off the northwest coast of Western Australia.

About the same time, an Indonesian fishing boat was arrested, but subsequently released and escorted outside the 12 mile limit.

Two Australian Police officers (conveniently aboard the arresting naval vessel) took dozens of photographs which were used by the prosecution to convict the Chinese captains.

The naval boarding party brandished guns against the non-resisting and unarmed Chinese crews, forcing the captains to comply with orders.

The defence lawyer, Mr. Stephen Chow, admitted that two of the four vessels were inside territorial waters—the reason being that the engine of one of the boats had broken down, and calmer waters were sought for repairs.

But the Captain and Assistant-Captain of the other two vessels had no fears because they were not fishing, and their bearings showed they were 14 miles off the nearest land.

By sign language, Assistant-Captain Chian Kai Chin of the Hung Tung II indicated that his boat was 14 miles off the islands—thus two miles outside territorial waters. He asked that this be confirmed by radar. This request was refused.

Threatened by armed force, he was ordered to proceed towards the coast. After travelling for approximately 20 minutes in that direction, bearings were taken by the navy, which revealed that the boats were 11 1/2 miles from the nearest point of land, i.e. only half a mile inside terri-

torial waters.

The case came before the Fremantle Court on June 3. After a hearing lasting six days, the Magistrate chose to believe the evidence of the naval officers in preference to that of the Chinese captains.

He found all four of the accused guilty, and fined them US\$200 each, with a fortnight to pay the fine.

He ordered that the cargoes of fish be confiscated, but considered that the offences did not warrant confiscation of the four vessels.

In the matter of penalty, the prosecution stated that the men were liable to a fine of US\$2,000, six months imprisonment—or both. The Crown Prosecutor said that over recent years nine Chinese fishing boats had been arrested, and of these eight had been confiscated.

During the weeks prior to and during the trial, the Australia-Free China Association and the Chung Wah Association did everything possible to provide for the welfare and interests of the men.

Apparently anticipating the confiscation of the four boats, the Socialist Minister for Agriculture, Senator Wriedt, flew home 53 crew members to Taiwan—which means that the boats are without crews to sail home.

It is known that Japanese and Russian boats have been fishing within Australian territorial waters. It is also known that instructions have been issued to arrest Chinese boats, but no action is to be taken against the Japanese and Russians.

An article in the Perth "Daily News" June 3, stated that recently a fleet of at least seven Japanese fishing boats were sighted inside territorial waters off the New South Wales coast. No attempt was made to arrest them.

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COMMENT: (CNFD) The GRC is becoming increasingly concerned over the widespread activities of the Taiwan-based fishing fleets which have been apprehended operating in the coastal waters of several South Asian countries (e.g. INDONESIA, BURMA, PAPUA and NEW GUINEA). The lack of diplomatic relations with countries such as AUSTRALIA make it difficult to negotiate for the release of impounded boats and imprisoned crews. Taiwan Provincial Fishing Bureau officials have discussed with RO the difficulties of controlling the activities of the Taiwan fishermen once they depart from Taiwan local waters. RADM Yao Tao-yi, Director of the Bureau has stated that the Captains of the boats have been known to give false reports to the Kaohsiung Fishing radio station regarding their position and activity. He stated that he is receiving increasing pressure from the Ministry of Foreign Affairs (MOFA) to try and keep the fishermen out of the territorial waters of other countries. The radio warning broadcast on 4 August probably represents such an attempt to keep ROC units away from Australian waters, at least until the Naval task force clears the area, and the publicity provided by the press item (which was also carried in the local Chinese-language press) will ensure that both the English speaking community of Taiwan and the interested ROC government agencies are aware of the efforts of the Fishing Bureau to control fishing activity. Since many of the ROC craft operating near Australia and in the Southern Pacific are small privately owned boats, many without radios, the effectiveness of the broadcast in keeping ROC units away from Australian territorial waters will be doubtful.

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